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Conservation Bond Program -Q1

Department of Conservation
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STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Division of State Lands

NOTICE OF WORKSHOP TO SOLICIT COMMENTS ON PROPOSED REGULATIONS AND

NOTICE OF HEARING FOR THE ADOPTION OF REGULATIONS FOR THE SELECTION OF APPRAISAL SERVICES FOR DISPOSAL AND LEASING OF CERTAIN STATE LANDS

Workshop Notice: The Division of State Lands, 901 S. Stewart St., Suite 5003, Carson City, Nevada, telephone number (775) 684-2720, is proposing the adoption of regulations pertaining to Chapter 321 of the Nevada Administrative Code.

A workshop has been set for 1:30 pm on March 1, 2006, at the Bryan Building, 901 S. Stewart, Room 2001 in Carson City, Nevada. The purpose of the workshop is to solicit comments on proposed regulations regarding the solicitation and selection of persons to conduct appraisals of certain land offered for sale or lease by the State Land Registrar.

A copy of the proposed regulations is included with this announcement. Additional copies may be obtained at the workshop or by contacting the Division of State Lands at 901 S. Stewart St., Suite 5003, Carson City, Nevada, telephone number (775) 684-2720.

Hearing Notice: The Division of State Lands will hold a public hearing at 2:30 p.m. on March 1, 2006, in Carson City at the Bryan Building, 901 S. Stewart St., Room 2001. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of the regulations. A copy of the proposed regulations is included with this announcement.

1. These regulations do not have a direct economic effect on any business or the public.
2. Enforcement of these regulations will not result in an increased cost.
3. To our knowledge, these regulations do not overlap or duplicate the regulations of other State or local governmental agencies.

4. These regulations do not establish any new fee or increase an existing fee.
5. The purpose of the proposed regulations is to establish procedures for creating or amending a list of appraisers qualified to conduct appraisals of land offered for sale or lease by the State Land Registrar.

Persons wishing to comment upon the proposed action may appear at the scheduled public hearing or may address their comments in written form to Robert Nellis, Division of State Lands, 901 S. Stewart St., Suite 5003, Carson City, NV 89701. **Written submissions must be received by the Division of State Lands on or before February 27, 2006.** A copy of this notice and the regulations to be adopted will be on file at the State Library and Archives, 100 Stewart Street, Carson City, Nevada for inspection by members of the public during business hours. Additional copies of this notice and the regulations to be adopted will be available at the Division of State Lands, 901 S. Stewart St., Suite 5003, Carson City, Nevada, and in all counties at the main public library, for inspection and copying by members of the public during business hours. Copies will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, will issue a concise statement of the principle reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

The notice of the Workshop and Hearing has been posted at the following locations:

Bryan Building, 901 S. Stewart St., Carson City
Nevada State Library and Archives, 100 Stewart St., Carson City
Carson City Library, 900 North Roop Street, Carson City
Churchill County Library, 553 South Maine Street, Fallon
Las Vegas Library, 833 Las Vegas Boulevard North, Las Vegas
Douglas County Library, 1625 Library Lane, Minden
Elko County Library, 720 Court Street, Elko
Goldfield Public Library, Fourth & Crook Street, Goldfield
Eureka Branch Library, 10190 Monroe Street, Eureka
Humboldt County Library, 85 East 5th Street, Winnemucca
Lincoln County Library, 93 Main Street, Pioche
Lyon County Library, 20 Nevin Way, Yerington
Mineral County Library, First & A Street, Hawthorne
Tonopah Public Library, 171 Central Street, Tonopah
Pershing County Library, 1125 Central Avenue, Lovelock
Storey County Library, 95 South R Street, Virginia City
Washoe County Library, 301 South Center, Reno
White Pine County Library, 950 Campton Street, Ely
Battle Mountain Branch Library, PO Box 141, Battle Mountain

Chapter 321 of NAC is hereby amended by adding thereto a new section to read as follows:

LIST OF QUALIFIED APPRAISERS

1. Definitions. (reference) As used in NAC 321.??? to ???, inclusive, unless the context otherwise requires, the words and terms defined in NAC 321.??? to ???, inclusive have the meanings ascribed to them in those sections.

2. “List” defined. (reference) “List” means the list of appraisers qualified to conduct appraisals of land offered for sale or lease by the State Land Registrar.

3. “Division” defined. (reference) “Division” means the Division of State Lands of the Department of Conservation and Natural Resources.

4. “Random” defined. (reference) “Random” means a process to ensure that each person on the list has an equal chance of receiving a solicitation for an appraisal assignment for which such person is qualified.

5. List of qualified appraisers. (reference)

The Division shall maintain a list of appraisers who are willing and qualified to conduct appraisals of land offered for sale or lease by the State Land Registrar. The list shall:

1. Contain the names of all interested persons qualified to act as a general appraiser in the same county as the land that may be appraised;
2. Identify the types of appraisals each person on the list is willing and qualified to perform; and
3. Be organized at random and rotated from time to time.

6. Solicitation for inclusion on the list; information requested in the solicitation. (reference)

1. At a minimum of every three years, the Division shall solicit applications from persons who have been identified as certified general appraisers in the State of Nevada, asking whether they wish to be included on the Division’s list of appraisers. Each appraiser shall be notified at this time that three successive failures to respond to a request for a bid from the Division may result in their removal from the list. An appraiser may reapply to be included on the list six months after removal for failure to respond to a solicitation from the Division.

2. Persons wishing to be included on the list shall, at a minimum, be required to provide the following information:

- (a) Whether the person is willing to perform appraisals on behalf of the Division;
- (b) The counties in which the person is willing to perform appraisals;
- (c) The types of appraisals the person is qualified and willing to perform;
- (d) A sample self contained appraisal report;

- (e) A resume that identifies educational accomplishments, professional courses, professional experience and/or length of time in practice, and a list of recent clients;
- (f) Evidence of licensure by the State of Nevada as a Certified General Appraiser; and
- (g) Evidence of membership in professional appraisal organizations, if any.

7. Determination to be included on list. (reference)

The State Land Registrar shall have the final determination regarding which appraisers are included on the list. At a minimum, persons must be licensed by the State of Nevada as a Certified General Appraiser.

8. Organization of list. (reference)

1. The list shall be organized as follows:
 - (a) By county; and
 - (b) By type of appraisal which the person is qualified and willing to perform.
2. In order to ensure random organization, the list for each county shall be organized using a random number table.
3. The list for each county shall be rotated using a random number table whenever an appraiser is selected from the list to perform an appraisal or an appraiser is added to the list in that county.

9. Amendment of list. (reference)

1. The State Land Registrar may add persons to the list if such person meets the minimum requirement and provides the information listed in NAC 321.??? Paragraph 2
2. The State Land Registrar reserves the right to remove names from the list based on the following:
 - (a) A written request from a person to be removed from the list;
 - (b) Loss of certification as a certified general appraiser;
 - (c) Three consecutive failures to respond to request for bids to perform appraisals; or
 - (d) Failure to perform in a satisfactory manner, as determined by the State Land Registrar.

10. Procedure to select persons from list to perform an appraisal (reference)

1. When it is necessary for the Division to select a person to conduct an appraisal of land offered for sale or lease by the State Land Registrar, the Division shall request bids from at least the first five persons on the appropriate portion of the list. If there are fewer than five persons on the appropriate portion of the list, bids will be requested from all persons on the appropriate portion of the list.
2. The request for bids shall include, but not be limited to:
 - (a) A request for the following information:
 - i. The estimated cost to complete the appraisal;
 - ii. The estimated time to complete the appraisal; and
 - iii. Verification of qualifications, which may include an updated resume and appraisal sample.

(b) A notice that the selected appraiser must provide a disclosure statement which includes, without limitation, all sources of income of the appraiser that may constitute a conflict of interest and any relationship of the appraiser with the owner of the land or the owner of an adjoining property.

(c) A notice that an appraiser shall not perform an appraisal on any land offered for sale or lease by the State Land Registrar if the appraiser or a person related to the appraiser within the first degree of consanguinity or affinity has an interest in the land or an adjoining property.

3. Selection of person to conduct the appraisal shall be based on, but not limited to, the following criteria:

(a) The response of the person to the Division's request for information in paragraph 2, above;

(b) The person's past history with the state in completing appraisal assignments in a timely manner in accordance with agency requirements;

(c) The estimated cost of the bid as compared with the assignment and other bids submitted; and

(d) The estimated time within which the appraisal assignment will be completed as compared with other bids submitted and the Division's timeframe to complete the assignment. .

4. If use of the list does not produce two appraisals, the agency shall request bids from additional appraisers until two appraisals are obtained.